

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION

MINERVA INDUSTRIES, INC.,)
Plaintiff,) CIVIL ACTION NO. 2-07CV-229-TJW
v.) Jury Trial Demanded
MOTOROLA, INC., ET AL.)
Defendants.)

JOINT MOTION OF VOLUNTARY DISMISSAL WITHOUT PREJUDICE

Pursuant to Federal Rule of Civil Procedure 41(a), the parties respectfully request that the Court voluntarily dismiss, without prejudice, Plaintiff's claims against the following entities only:

1. Alltel Corporation
2. Boost Mobile, LLC
3. LG Electronics U.S.A., Inc.
4. Nokia Mobile Phones, Inc.
5. Samsung Electronics America, Inc.
6. Samsung Telecommunications America, Inc.
7. Sprint Nextel Corporation
8. Sprint Wireless Broadband, LLC
9. SunCom Wireless Operating Company, LLC
10. Verizon Communications, Inc.
11. Verizon Wireless Services, LLC.

Dated: January 7, 2008

Respectfully submitted,

s/ Steven M. Zager

Steven M. Zager, *Lead Attorney*

State Bar No. 22241500

szager@akingump.com

Fred I. Williams

State Bar No. 00794855

fwilliams@akingump.com

Akin Gump Strauss Hauer & Feld LLP

1111 Louisiana Street, 44th Floor

Houston, TX 77002

Telephone: 713.220.5800

Facsimile: 713.236.0822

Jeffrey K. Sherwood

State Bar No. 24009354

jsherwood@akingump.com

Frank C. Cimino

fcimino@akingump.com

Jin-Suk Park

jspark@akingump.com

Akin Gump Strauss Hauer & Feld LLP

Robert S. Strauss Building

1333 New Hampshire Avenue, N.W.

Washington, DC 20036-1564

Telephone: 202.887.4000

Facsimile: 202.887.4200

Todd E. Landis

State Bar No. 24030226

tlandis@akingump.com

Akin Gump Strauss Hauer & Feld LLP

1700 Pacific Avenue, Suite 4100

Dallas, TX 75201

Telephone: 214.969.2800

Facsimile: 214.969.4343

ATTORNEYS FOR DEFENDANTS

OF COUNSEL:

John Flaim
State Bar No. 00785864
john.flaim@bakernet.com
William D. McSpadden
State Bar No. 24002587
wiliam.d.mcspadden@bakernet.com
Baker & McKenzie LLP
2001 Ross Avenue, Suite 2300
Dallas, TX 75201
Telephone: 214.978.3000
Facsimile: 214.978.3099

ATTORNEYS FOR ALLTEL CORPORATION

s/ Marc A. Fenster

Marc A. Fenster
mfenster@raklaw.com
David R. Gabor
dgabor@raklaw.com
Irene Y. Lee
ilee@raklaw.com
Robert E. Satterthwaite
rsatterthwaite@raklaw.com
Larry C. Russ
lruss@raklaw.com
Russ, August & Kabat
12424 Wilshire Blvd., 12th Floor
Los Angeles, CA 90025
Telephone: 310.826.7474
Facsimile: 310.826.6991

Franklin Jones Jr.
State Bar No. 00000055
maizieh@millerfirm.com
Jones & Jones, Inc., P.C.
201 West Houston Street
P.O. Drawer 1249
Marshall, TX 75671-1249
Telephone: 903.938.4395
Facsimile: 903.938.3360

S. Calvin Capshaw III
State Bar No. 0378390
ccapshaw@mailbmc.com
Elizabeth L. DeRieux
State Bar No. 05770585
ederieux@mailbmc.com
Brown McCarroll LLP
1127 Judson Road, Suite 220
P.O. Box 3999
Longview, TX 75601-5157
Telephone: 903.236.9800
Facsimile: 903.236.8787

Otis W. Carroll
State Bar No. 03895700
Collin Maloney
State Bar No. 00794219
fedserv@icklaw.com
Ireland Carroll & Kelley, P.C.
6101 South Broadway, Suite 500
P.O. Box 7879
Tyler, TX 75711
Telephone: 903.561.1600
Facsimile: 903.581.1071

ATTORNEYS FOR PLAINTIFF

CERTIFICATE OF SERVICE

I hereby certify that on this 7th day of January 2008, a copy of the foregoing electronically filed document was served on the parties listed below via first class mail, postage prepaid, unless said party is a registered CM/ECF participant who has consented to electronic notice, and the notice of electronic filing indicates that notice was electronically mailed to said party:

Marc A. Fenster
mfenster@raklaw.com
David R. Gabor
dgabor@raklaw.com
Irene Y. Lee
ilee@raklaw.com
Robert E. Satterthwaite
rsatterthwaite@raklaw.com
Larry C. Russ
lruss@raklaw.com
Russ, August & Kabat
12424 Wilshire Blvd., 12th Floor
Los Angeles, CA 90025
Telephone: 310.826.7474
Facsimile: 310.826.6991

Attorneys for Plaintiff

Franklin Jones Jr.
maizieh@millerfirm.com
Jones & Jones, Inc., P.C.
201 West Houston Street
P.O. Drawer 1249
Marshall, TX 75671-1249
Telephone: 903.938.4395
Facsimile: 903.938.3360

Attorneys for Plaintiff

S. Calvin Capshaw III
ccapshaw@mailbmc.com
Elizabeth L. DeRieux
ederieux@mailbmc.com
Andrew Wesley Spangler
aspangler@mailbmc.com
Brown McCarroll LLP
1127 Judson Road, Suite 220
P.O. Box 3999
Longview, TX 75601-5157
Telephone: 903.236.9800
Facsimile: 903.236.8787

Attorneys for Plaintiff

Otis W. Carroll
Collin Maloney
fedserv@icklaw.com
Ireland Carroll & Kelley, P.C.
6101 South Broadway, Suite 500
P.O. Box 7879
Tyler, TX 75711
Telephone: 903.561.1600
Facsimile: 903.581.1071

Attorneys for Plaintiff

Andy Tindel
atindel@andytindel.com
Provost Umphrey Law Firm, L.L.P.
112 East Line Street, Suite 304
Tyler, TX 75702
Telephone: 903.596.0900
Facsimile: 903.596.0909

Warren S. Heit (*pro hac vice pending*)
wheit@whitecase.com
White & Case LLP
3000 El Camino Real
Bldg. 5, 9th Floor
Palo Alto, CA 94306
Telephone: 650.213.0300
Facsimile: 650.213.8158

Attorneys for Defendant HTC America, Inc.

Melissa R. Smith
melissa@gillamsmithlaw.com
Harry L. Gillam, Jr.
gil@gillamsmithlaw.com
Gillam & Smith, L.L.P.
303 South Washington Avenue
Marshall, TX 75670
Telephone: 903.934.8450
Facsimile: 903.934.9257

Hae-Chan Park
hpark@park-law.com
Wayne M. Helge
whelge@parklaw.com
HC Park & Associates
8500 Leesburg Pike, Suite 7500
Vienna, VA 22182
Telephone: 703.288.5105
Facsimile: 703.288.5139

Attorneys for Pantech Wireless, Inc.

Michael E. Jones
mikejones@potterminton.com
John F. Bufe
johnbufe@potterminton.com
Potter Minton
P.O. Box 359
Tyler, TX 75710
Telephone: 903.597.8311
Facsimile: 903.593.0846

Jeffrey E. Ostrow
jostrow@stblaw.com
Simpson Thacher & Bartlett LLP
2550 Hanover Street
Palo Alto, CA 94304
Telephone: 650.251.5030
Facsimile: 650.251.5002

Attorneys for Verizon Communications, Inc.
and Verizon Wireless Services, LLC

Michael A. Dorfman
michael.dorfman@kattenlaw.com
Timothy J. Vezeau
timothy.vezeau@kattenlaw.com
Katten Muchin Rosenman LLP
525 West Monroe Street
Chicago, IL 60661-3693
Telephone: 312.902.5200
Facsimile: 312.902.1061

John M. Cone
jcone@hitchcockevert.com
Hitchcock Evert LLP
750 North St. Paul Street, Suite 1110
Dallas, TX 75201
Telephone: 214.953.1111
Facsimile: 214.953.1121

Attorneys for Sanyo North America
Corporation

Paul B. Keller
paul.keller@wilmerhale.com
Wilmer Hale
399 Park Avenue
New York, NY 10022
Telephone: 212.937.7273
Facsimile: 212.230.8888

Attorneys for Palm, Inc.

Josh A. Krevitt
jkrevitt@gibsondunn.com
John L. LaBarre
jlabarre@gibsondunn.com
Gibson Dunn & Crutcher LLP
200 Park Avenue, 47th Floor
New York, NY 10166
Telephone: 212.351.4000
Facsimile: 212.351.4035

Attorneys for Hewlett-Packard Company

Bruce S. Sostek
[bruce.sostek@tklaw.com](mailto;bruce.sostek@tklaw.com)
Jane Politz Brandt
jane.brandt@tklaw.com
Richard L. Wynne, Jr.
richard.wynne@tklaw.com
Michael Stockham
michael.stockham@tklaw.com
Thompson & Knight LLP
1700 Pacific Avenue, Suite 3300
Dallas, TX 75201-4693
Telephone: 214.969.1700
Facsimile: 214.969.1751

Jennifer Parker Ainsworth
jainsworth@wilsonlawfirm.com
Wilson Robertson & Cornelius, P.C.
One American Center
909 ESE Loop 323, Suite 400
Tyler, TX 75701
Telephone: 903.509.5000
Facsimile: 903.509.5092

Attorneys for Sony Ericsson Mobile
Communications (USA) Inc.

s/ Fred I. Williams
Fred I. Williams